

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

TYLON LARRICE NEWCOMB,

Plaintiff,

v.

Case No. 16-CV-811 (JNE/FLN)
ORDER

CITY OF ANOKA, SGT. DAVID HUTCHINSON, *in their individual and official capacities*, OFC. CANON YANG, *in their individual and official capacities*, OFC. ANDREW CARLSON, *in their individual and official capacities*, OFC. JORDAN TRAMMEL, *in their individual and official capacities*, and CAROLINE PRUTER, *in their individual and official capacities*,

Defendants.

This matter is before the Court on a Report and Recommendation (“R&R”) issued by the Honorable Franklin L. Noel, United States Magistrate Judge, on November 17, 2016. (Docket No. 36.) The R&R recommends granting Defendant City of Anoka’s Motion to Dismiss or Alternatively for Summary Judgment (Dkt No. 10). Neither party objected to the R&R. Nevertheless, the Court conducted a de novo review of the record. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); D. Minn. LR 72.2(b)(3). Based on that review, the Court accepts the R&R’s recommended disposition.

Therefore, IT IS ORDERED THAT:

1. Defendant City of Anoka’s Motion to Dismiss or Alternatively for Summary Judgment [Dkt No. 10] is GRANTED.
2. Plaintiff’s claims against Defendant City of Anoka are DISMISSED WITHOUT PREJUDICE.

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LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 19, 2016

s/Joan N. Ericksen

JOAN N. ERICKSEN

United States District Judge